

District of Columbia Office of Planning
D.C. OFFICE OF ZONING



MEMORANDUM

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TO: District of Columbia Board of Zoning Adjustment
FROM: Stephen Gyor, Case Manager
Joel Lawson, Associate Director Development Review
DATE: May 29, 2012

SUBJECT: BZA Case 18359 - request for special exception relief under § 223 to construct an addition to an existing single-family dwelling at 5422 8th Street NW.

I. OFFICE OF PLANNING RECOMMENDATION

With regards to this proposal to add a rear addition to an existing detached house, the Office of Planning (OP) recommends **approval** of the following special exception relief pursuant to § 223:

- § 403 2, maximum lot occupancy (40% maximum permitted; 70% by special exception, 50.1% proposed).
- § 405 9, required side yard setback (8 ft. required, 6 ft proposed)

OP notes that the existing lot is non-conforming to lot area (3,000 sf. required, 2,700 sf. existing)

II. LOCATION AND SITE DESCRIPTION:

Address:	5422 8 th Street NW
Legal Description:	Square 2994, Lot 40
Ward:	4
Lot Characteristics:	The rectangular lot has an area of 2,700 square feet. It is 30 feet wide along the 8th Street frontage and along the rear abutting the 10-foot wide public alley.
Zoning:	R-4 – Row Dwellings and Flats
Existing Development:	A two-story semi-detached single-family dwelling, permitted in this zone.
Historic District	None
Adjacent Properties:	Row dwellings to the north and south, a multi-family building to the west.
Surrounding Neighborhood Character:	Predominantly row houses and flats.

III. PROJECT DESCRIPTION IN BRIEF

Applicant	Essie Mae Clark (Owner of Record)
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BOARD OF ZONING ADJUSTMENT
District of Columbia

CASE NO. 18359

EXHIBIT NO. 22

Board of Zoning Adjustment
District of Columbia

Proposal	The applicant proposes to construct a one-story rear addition which would include two bedrooms and one bathroom. The addition would extend approximately 28 feet into the rear yard. The addition at the rear would provide a 6-foot wide south side yard to the south. The existing alignment of the house adjacent to the north side property line would be continued. The dwelling would extend along the north side of the lot, consistent with the existing dwelling.
Relief Sought.	§223 - Additions to a One-Family Dwellings or Flats

IV. ZONING REQUIREMENTS

R-4 Zone	Regulation	Existing	Proposed ¹	Relief:
Height (ft) § 400	40 ft max	25 ft	15 ft (addition)	None required
Lot Width (ft.) § 401	30 ft. min	30 ft.	30 ft.	None required
Lot Area (sq.ft.) § 401	3,000 sq ft. min	2,700 sq ft.	2,700 sq.ft ²	None required
Lot Occupancy § 403	40% max	21 %	50 1%	Relief required (exceeds R-4 limitations but conforms to § 223 Special Exception)
Rear Yard (ft.) § 404	20 ft. min	45.5 ft.	27.5 ft	None required
Side Yard (ft.) § 405	8 ft min.	12 4 ft	6 ft (south side)	Relief required (deficient by 2 ft)

V. OP ANALYSIS:

223 ZONING RELIEF FOR ADDITIONS TO ONE-FAMILY DWELLINGS OR FLATS (R-1) AND FOR NEW OR ENLARGED ACCESSORY STRUCTURES

223 1 An addition to a one-family dwelling or flat, in those Residence districts where a flat is permitted, or a new or enlarged accessory structure on the same lot as a one-family dwelling or flat, shall be permitted even though the addition or accessory structure does not comply with all of the requirements of §§ 401, 403, 404, 405, 406, and 2001 3 shall be permitted as a special exception if approved by the Board of Zoning Adjustment under § 3104, subject to the provisions of this section

Semi-detached single family dwellings are a permitted use in this zone. The Applicant requests special exception relief under § 223 for a proposal which does not comply with the requirements of §403 2, maximum lot occupancy and § 405 9, required side yard setback.

223 2 The addition or accessory structure shall not have a substantially adverse effect on the use or enjoyment of any abutting or adjacent dwelling or property, in particular:

¹ Information provided by applicant

² The existing lot area predates the adoption of the 1958 Zoning Regulations, and is nonconforming. The subject application would have no effect on the existing lot dimensions.

(a) *The light and air available to neighboring properties shall not be unduly affected;*

Light and air available to neighboring properties should not be unduly affected. The proposed one-story rear addition would align with the depth of the adjacent dwellings to the south. The single-story addition at the rear would be a restrained height of only 15 ft.



Figure 1: Map – Subject Property Identified

(b) *The privacy of use and enjoyment of neighboring properties shall not be unduly compromised;*

Privacy of use and enjoyment of neighboring properties should not be unduly compromised. The windows proposed on the south elevation would not align with the neighbor's existing windows. The proposed addition would have no windows on the north side. The addition would include windows on the south and west side but would not unduly compromise the privacy of the neighbors to the south or the multi-family building to the west.

(c) *The addition or accessory structure, together with the original building, as viewed from the street, alley, and other public way, shall not substantially visually intrude upon the character, scale and pattern of houses along the subject street frontage; and*

The proposed one-story addition as viewed from 8th Street or the alley should not substantially visually intrude upon the character, scale and pattern of houses. The addition would only be minimally visible from 8th Street but would be visible from the alley.

(d) *In demonstrating compliance with paragraphs (a), (b) and (c) of this subsection, the applicant shall use graphical representations such as plans, photographs, or elevation and*

section drawings sufficient to represent the relationship of the proposed addition or accessory structure to adjacent buildings and views from public ways.

The applicant submitted graphical representations, including plans and photographs, to represent the relationship of the proposed addition to adjacent buildings

223.3 The lot occupancy of all new and existing structures on the lot shall not exceed fifty percent (50%) in the R-1 and R-2 Districts or seventy percent (70%) in the R-3, R-4, and R-5 Districts

The proposed lot occupancy at 51% would exceed the permitted maximum lot occupancy of 40% in an R-4 Zone but would conform to the 70% maximum permitted by special exception review pursuant to § 223

223.4 The Board may require special treatment in the way of design, screening, exterior or interior lighting, building materials, or other features for the protection of adjacent and nearby properties

The Office of Planning makes no recommendations for special treatment.

223.5 This section may not be used to permit the introduction or expansion of a nonconforming use as a special exception

The existing use is permitted; no additional non-conforming use is proposed

VI. COMMUNITY COMMENTS

At the date of this report, Office of Planning has not received submissions from ANC 4D or neighbors.